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10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**  
12 **(SAN JOSE DIVISION)**

13 In re: HP INKJET PRINTER  
14 LITIGATION,

Master File No. C05-3580 JF

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16 This Document Relates To:  
17 All Actions  
18  
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**JOINT STIPULATION RE APRIL 9, 2010  
STATUS CONFERENCE AND PROPOSED  
PLAN FOR FILING SETTLEMENT  
PAPERS AND MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
SETTLEMENT; DECLARATION OF  
SAMUEL G. LIVERSIDGE**

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28 **JOINT STIPULATION RE APRIL 9, 2010 STATUS CONFERENCE AND PROPOSED PLAN FOR FILING SETTLEMENT  
PAPERS AND MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT; DECLARATION OF SAMUEL G.  
LIVERSIDGE**  
Case No. 05-3580 JF

1 WHEREAS, on February 5, 2010, the Court took Plaintiffs' motion for certification of a  
2 California class and motion for leave to add a new class representative off calendar because the  
3 parties were engaging in settlement discussions;

4 WHEREAS, on February 5, 2010, the Court scheduled a Status Conference in this matter for  
5 April 9, 2010;

6 WHEREAS, the parties have reached an agreement in principle to settle this action as well as  
7 two other actions against Hewlett-Packard Company pending before this Court: *Rich v. Hewlett-*  
8 *Packard Company*, Case No. C06-03361-JF, and *Blennis v. Hewlett-Packard Company*, Case No.  
9 C07-00333-JF;

10 WHEREAS, the parties have begun drafting a written settlement agreement to memorialize  
11 the specific terms of the settlement, and they intend to submit a written settlement agreement and a  
12 motion for preliminary approval of class settlement by June 4, 2010; and

13 WHEREAS, a declaration of counsel providing the information required by Local Civil Rule  
14 6-2 follows this stipulation.

15 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the  
16 undersigned counsel that (1) the Status Conference currently scheduled for April 9, 2010, be taken off  
17 calendar, (2) the parties will make a good faith effort to file a written settlement agreement and a  
18 motion for preliminary approval of class settlement with the Court by June 4, 2010, and (3) if the

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parties are unable to complete and file these documents by June 4, 2010, a joint status report will be filed in lieu of these documents.

**IT IS SO STIPULATED.**

Dated: April 5, 2010

COTCHETT, PITRE & McCARTHY  
McNICHOLAS & McNICHOLAS, LLP  
SEEGER WEISS, LLP

/s/ Niall P. McCarthy\*  
Niall P. McCarthy

*Co-Lead Counsel for Plaintiffs and the Class*

Steven N. Berk  
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Scott E. Shapiro  
LAW OFFICES OF SCOTT E. SHAPIRO, P.C.

Dated: April 5, 2010

GIBSON, DUNN & CRUTCHER LLP

/s/ Samuel G. Liversidge\*  
Samuel G. Liversidge

*Attorneys for Defendant Hewlett-Packard Company*

\*I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this efiled document.

**DECLARATION OF SAMUEL G. LIVERSIDGE**  
**IN SUPPORT OF THE JOINT STIPULATION**

I, Samuel G. Liversidge, declare as follows:

1. I am an attorney duly admitted to practice law in the State of California and in this Court. I am a partner at the law firm of Gibson, Dunn & Crutcher LLP, and one of the counsel of record for Hewlett-Packard Company ("HP") in this case. I have personal knowledge of the facts set forth below, and if called upon to testify, I could and would competently testify to them. I make this declaration in support of the parties' Joint Stipulation re April 9, 2010 Status Conference And Proposed Plan For Filing Settlement Papers and Motion for Preliminary Approval Of Class Settlement.

2. On February 5, 2010, the Court took Plaintiffs' pending motions off calendar after the parties informed the Court that they were engaging in settlement negotiations. The Court then set a Status Conference for April 9, 2010.

3. The parties have reached an agreement in principle to settle this action as well as two other actions against HP pending before this Court: *Rich v. Hewlett-Packard Company*, Case No. C06-03361-JF, and *Blennis v. Hewlett-Packard Company*, Case No. C07-00333-JF.

4. The parties have begun drafting a written settlement agreement to memorialize the specific terms of the settlement, and they propose to submit a written settlement agreement and a motion for preliminary approval of class settlement by June 4, 2010.

5. The parties have agreed and respectfully propose that the Court enter an order taking the Status Conference currently scheduled for April 9, 2010, off calendar. The parties will make a good faith effort to file a written settlement agreement and a motion for preliminary approval of class settlement by June 4, 2010. If the parties, however, are unable to complete and file these documents by June 4, 2010, a joint status report will be filed in lieu of these documents.

/s/ Samuel G. Liversidge\*  
Samuel G. Liversidge